

ORIGINAL
FILE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of)	MM DOCKET NO. 92-132
)	
CARNEGIE-MELLON STUDENT)	File No. BPED-891108MA
GOVERNMENT CORPORATION)	
)	
For Construction Permit for a)	
Major Change to Station WRCT-FM,)	
on Channel 202A,)	
Pittsburgh, Pennsylvania)	
)	
HE'S ALIVE, INCORPORATED)	File No. BPED-900606MC
)	
For Construction Permit for a new)	
Noncommercial Educational FM)	
Station on Channel 201A,)	
Murrysville, Pennsylvania)	

To: Administrative Law Judge
John M. Frysiak

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DEC - 9 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MASS MEDIA BUREAU'S CONSOLIDATED COMMENTS ON
JOINT REQUEST FOR APPROVAL OF SETTLEMENT AGREEMENT
AND PETITIONS FOR LEAVE TO AMEND

1. On September 30, 1992, Carnegie-Mellon Student Government Corporation ("Carnegie") and He's Alive, Incorporated ("HAI"), each filed a petition for leave to amend. In addition, they filed a joint request for approval of settlement agreement. The Mass Media Bureau submits the following consolidated comments in support.

2. The proposed amendments directionalize the antennas of each applicant in order to eliminate the mutual exclusivity between the applications. The Bureau's engineering staff has analyzed the amendments and has determined that they conform with the Commission's technical rules and that the proposals as amended are no longer mutually exclusive.

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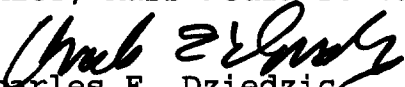
3. The settlement agreement contemplates that, with the grant of the noted amendments, both applications can be granted. Each applicant is to bear the expense of the preparation of its amendment. The settlement agreement does not propose the payment of money or the exchange of any other consideration.

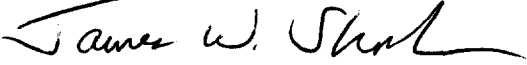
4. Review of the settlement agreement and declarations of the respective principals shows that the applicants have complied with the requirements of Section 73.3525 of the Commission's Rules, which implements Section 311(c)(3) of the Communications Act of 1934, as amended. They show that the applications were not filed for an improper purpose, and that no consideration has been or will be exchanged. The applicants also show that approval of the joint request will serve the public interest by avoiding a comparative hearing. See Settlement Agreements, 6 FCC Rcd 85 (1990), modified, 6 FCC Rcd 2901 (1991).

5. Accordingly, the Bureau supports grant of the petitions for leave to amend and grant of the joint request for approval

of settlement agreement, grant of the amended applications of Carnegie and HAI, and termination of this proceeding.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau


Charles E. Dziedzic
Chief, Hearing Branch


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Federal Communications Commission
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October 9, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 9th day of October, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing "**Mass Media Bureau's Consolidated Comments on Petitions for Leave to Amend and Joint Request for Approval of Settlement Agreement**" to:

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